

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-16581 – APPLICANT/OWNER: NEW VISTA RANCH, INC.**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-16578) and Rezoning (ZON-16580) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/30/06, except as amended by conditions herein.
4. The Site Plan must incorporate the amended design standards set forth in the zoning
5. The site plan shall be revised in accordance with the master development and standards agreement as approved
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The applicant shall provide an additional 47 trees in the parking lot area; an additional 50 trees in the perimeter landscape buffer along the right-of-way; and an additional 54 trees in an eight-foot wide landscape buffer along the eastern edge of the flood control channel.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

15. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
16. Landscape and maintain all unimproved rights-of-way, if any, on Grand Teton Drive and Rainbow Boulevard adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping, if any, located in the Grand Teton Drive and Rainbow Boulevard public rights-of-way adjacent to this site prior to occupancy of this site.
18. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
20. Site development to comply with all applicable conditions of approval for ZON-16580 and all other applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The proposed development will consist of a 56-unit assisted living complex attached to a large community recreation facility. The overall floor area of the entire development is proposed to be 143,498 square feet. The community recreational facility will consist of several uses including a pool, gymnasium, snack bar, banquet facility, beauty salon, and a craft shop and would be used by the residents of this assisted living facility and which are to be used by the residents of other similar facilities operated by the same group. This facility would not be open to the general public.

The proposed development is considered inappropriate for the area as it is out of scale with surrounding development. The facility would generate a large amount of traffic. The surrounding area is primarily single-family residential and this facility would have similar characteristics to that of a commercial development. Denial of this project is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
11/16/06	The Planning Commission recommended approval of companion items GPA-16578 and ZON-16580 concurrently with this application.
11/16/06	The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item #13/ng).
<b><i>Related Building Permits/Business Licenses</i></b>	
There is an active business license on the property for a homeless shelter/rescue mission.	
<b><i>Pre-Application Meeting</i></b>	
06/01/06	A pre-application meeting was held. It was noted that a drainage study, off-site improvements, and a neighborhood meeting would be required. Trails may be required.
<b><i>Neighborhood Meeting</i></b>	
09/26/06	<p>A neighborhood meeting was held at Silverstone Golf Club, 8600 Cupp Drive, Las Vegas, Nevada. In attendance were five members of the applicant's team, a Council liaison, one staff member, and 17 members of the public. The following concerns were raised:</p> <ul style="list-style-type: none"><li>• There should be no retail or commercial uses on the site</li><li>• The facilities should not be rented to the general public</li><li>• Financial support for the facility (and whether they would need to add commercial uses to support the operating costs of the facilities)</li><li>• The height of the structures are excessive and don't fit in with the rural neighborhood</li></ul>

	<ul style="list-style-type: none"> <li>Concerns about the number of driveways/traffic on Rainbow</li> <li>Residents would prefer to see the number of parking spaces reduced</li> <li>The parking lot shouldn't be paved - it should be left in a natural state so that it blends in with the rural character of the neighborhood</li> <li>Concerns about drainage across the site and the existing drainage problems at Rainbow and Whispering Sands</li> </ul> <p>The applicant agreed to the following:</p> <ul style="list-style-type: none"> <li>Only the gym will be 35' high; all other structures will be under 30' high</li> <li>Buildings will have a residential appearance</li> <li>Main access to the site will be from Grand Teton, with overflow access from Rainbow</li> <li>The applicant will submit a Variance application for a 50% parking reduction</li> <li>The trail feature along Rainbow will be increased to 25' in width to allow horse path per City approval</li> <li>Parking lot light will be low-intensity, downward-directed fixtures with the height of the fixtures as low as the City will allow</li> <li>The applicant will request that there be no street lighting (rural standards), subject to Public Works and City approval</li> <li>The applicant will attempt to architecturally reduce the massing of the community center/recreation center</li> <li>Any change in use will require a full public hearing/notification process</li> </ul>
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<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	15.05
Net Acres	14.80

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped Homeless Shelter	DR (Desert Rural Density Residential)	U (Undeveloped) [DR (Desert Rural Density Residential) land use designation]
North	Single-Family Residential	PCD (Planned Community Development)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
South	Undeveloped	Clark County (RNP)	Clark County
East	Undeveloped	Clark County (RE) and (RNP)	Clark County
West	Orchard	Clark County (RE)	Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		
PD Planned Development District	X		Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

*Per Title 19.06 the following Development Standards are proposed:*

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	655,314 SF	Y
Min. Lot Width	993 Feet	Y
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	20 Feet 56 Feet 53 Feet N/A	Y Y Y N/A
Min. Distance Between Buildings	14 Feet	Y
Max. Lot Coverage	15.9 %	Y
Max. Building Height	35 Feet	Y
Trash Enclosure	Two	Y
Mech. Equipment	Screened	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
U (Undeveloped) [DR (Desert Rural Density Residential) land use designation]	2.49 Units Per Acre	37 Units under the current designation	PD (Planned Development)	8 Units Per Acre	PCD (Planned Community Development)	8 Units Per Acre  120 units under the proposed designation

<i>Landscaping and Open Space Standards</i>		
<i>Standards</i>	<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	
Parking Area	42 Trees	N
Buffer:	59 Trees	N
Min. Trees	Zero Trees	N
<b>TOTAL</b>	101 Trees	N
Min. Zone Width	10 Feet	Y
	8 Feet	Y

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Assisted Living	56 Units	1 Space per 3 Residents	19				
Residence	4 Units	2 Spaces per Unit	8				
Community Recreational Facility and Additional Uses	83,681 SF	1:200	419				
Subtotal			446	9	533	9	Y
TOTAL			446		533*		Y

\* The parking lot will consist of 290 spaces with a chat surface. Per Title 19.10 these are not typically counted toward the total parking as the surface is not paved. However, the applicant has requested this surface as part of their development agreement. Staff does not support this request.

## ANALYSIS

The proposed planned development calls for a 56-unit assisted living complex and a large community recreational facility. The community recreational facility will have several uses including a gymnasium (10,796 SF), pool with a snack bar and locker rooms (19,876 SF), craft studio (10,582 SF), beauty salon (1,154 SF), medical and corporate offices (16,609 SF). The total floor area of the buildings will be 143,498 square feet. The applicant has stated in their development agreement that the site is not open to the general public.

The proposed development requires several revisions to the landscape plan. There shall be no landscaping permitted in the 50-foot flood control channel at the request of Flood Control and the Department of Public Works. If approved conditions have been added requesting the applicant provide additional trees in the parking lot area to meet Title 19.12 requirements. Trees shall be added along the entire perimeter adjacent to the right-of-way, placed 20 feet on center. An eight-foot wide landscape buffer shall be provided along the eastern edge of the flood control channel, this buffer shall contain trees placed 30 feet on center.

The proposed development will consist of stucco cultured stone, and a metal roof. The color palate includes white/off white stucco with custard, rose, and hemlock green accents. These materials and colors are acceptable for the area and the City of Las Vegas.

The proposed project is situated in an area that is primarily single-family residential development. A development of this magnitude is considered inappropriate for the area. There will be a significant effect on the area in terms of increased traffic and the sheer size of the development in relation to surrounding development. The proposal calls for 54 percent of the parking to be on a chat surface. Although this is overflow parking, this is not supported as during the special events there would be a large amount of traffic flow on this surface and the potential for dust problems would be an issue.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is considerably larger and more intense than any other development in the vicinity. The surrounding neighborhood is primarily single-family residential development and the addition of a 56-unit assisted living center and a large community recreational facility is considered out of character with the area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development requires General Plan Amendment and Rezoning applications and does not meet the intent of the General Plan. Additionally the project does not meet landscaping requirements as designed. Conditions of approval have been added regarding the landscaping. It is also noted that a development of this nature that is not located in a PD (Planned Development) District would not be permitted to use a non-paved surface for the majority of its parking lot area.



**3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site gains access from Grand Teton Drive a 120-foot Parkway Arterial. This street will provide adequate access to and from the proposed development. A secondary point of ingress/egress is provided from Rainbow Boulevard. This access point is proposed to be gated and will only be used for special events.

**4. Building and landscape materials are appropriate for the area and for the City;**

Building materials will include stucco and stone. These materials are appropriate for the area and the City of Las Vegas. Landscape materials will include trees and shrubs that meet City of Las Vegas requirements.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Building elevations show structures with a maximum height of 35 feet. The architectural design is intended to be reminiscent of the "Colorado Rockies Western" area. While the design of the project will be aesthetically pleasing it is noted that the sheer mass of the buildings is out of scale with development in the area and is considered inappropriate.

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare;**

The proposed development would not endanger the public health or the general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 138 by Planning Department

**APPROVALS** 0

**PROTESTS** 0